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*Counsel for Non-Party LG Electronics, Inc.*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

ORACLE AMERICA, INC.,	)	Case No. 3:10-cv-03561 WHA
	)	
Plaintiff,	)	<b>NON-PARTY LG ELECTRONICS, INC.'S</b>
vs.	)	<b>ADMINISTRATIVE MOTION TO CHANGE</b>
	)	<b>TIME TO FILE MOTION FOR</b>
GOOGLE INC.,	)	<b>PROTECTIVE ORDER</b>
	)	Dept.: Courtroom 8, 19 <sup>th</sup> Floor
Defendant.	)	Judge: Honorable William Alsup
	)	

Pursuant to Local Rules 6-3 and 7-11 of the Local Rules for the Northern District of California, Non-Party LG Electronics, Inc. (“LG”) moves for an enlargement of time to file a Motion for Protective Order. By way of background, on January 7, 2016, Non-Party LG received notice from Defendant Google Inc. (“Google”) that Google intended to produce in connection with this litigation certain highly confidential LG documents in its possession relating to the Android open source software stack. At the time, Google did not identify the LG documents it intended to produce. On January 26, 2016, Google finally provided copies of all LG documents it intends to produce. Non-Party LG intends to seek a Protective Order objecting to the production of four of these highly sensitive documents<sup>1</sup> and asks that the Court enlarge the period of time LG has to file a Motion for Protective Order from February 9, 2016 to February 23, 2016. LG’s motion satisfies each of the requirements of Local Rule 6.3.

### **1. Reasons for the Requested Enlargement of Time**

As a non-party to the litigation and a foreign corporation, it has taken LG a significant amount of time to review the filings, documents and correspondence necessary to gain an understanding of this long-running, complex litigation. LG needs more time to meet and confer with the parties to this litigation regarding the requested documents. Additionally, employees in LG’s United States office do not possess the critical information necessary for the declaration to support LG’s Motion for a Protective Order. Individuals located in LG’s offices in Korea possess the necessary information and that office is closed for the Lunar New Year and thus the relevant persons are on holiday and unavailable.

### **2. Efforts Made to Obtain Stipulation to Enlarge Time**

LG’s counsel were retained on Friday evening, February 5, 2016. Mr. Eimer immediately telephoned Google’s counsel and left a message requesting a return call in order to discuss LG’s objections to production of the four documents. On Saturday, February 6, 2016, Mr. Eimer also sent counsel for Google a letter asking Google to confirm that it would not produce the four documents at issue until resolution of the motion for protective order that LG explained it intended to file. On the morning of February 8, Google’s counsel responded that he was traveling and would

<sup>1</sup> PLA005\_02356723, PLA005\_02577973, PLA007\_03398019, and PLA005\_02577855.

1 confer with his client, but would not be able to respond until February 9 or February 10, 2016. On  
 2 the morning of February 8, 2016, LG's counsel contacted counsel for Plaintiff and Defendant to  
 3 determine whether they had any objection to this motion but has not yet received their decision.

4 **3. Harm and Prejudice to LG if Court Does Not Change Time**

5 The documents at issue contain highly sensitive confidential commercial information. LG  
 6 will be seriously harmed with respect to its competitors and customers if the documents are  
 7 produced.

8 **4. Motion to Shorten Time for Court to Hear Motion**

9 This is not a motion to shorten time for the Court to hear a motion.

10 **5. Previous Time Modifications**

11 LG, a non-party to the litigation, has not previously requested any prior time modifications  
 12 by stipulation or court order.

13 **6. Effect of Time Modification on the Schedule for the Case**

14 As a non-party to the litigation, it is unknown to LG how the time modification will affect  
 15 the schedule for the case.

16 Pursuant to the Joint Stipulated Protective Order for Litigation Involving Patents, Highly  
 17 Sensitive Confidential Information and/or Trade Secrets [DE 66], Non-Party LG's Motion for  
 18 Protective Order is due on February 9, 2016. LG moves that this deadline be enlarged from  
 19 February 9, 2016 until February 23, 2016 and that Google be ordered to withhold production of the  
 20 four documents pending resolution of LG's Motion. A copy of the proposed order is attached.

21  
 22 Dated: February 8, 2016

EIMER STAHL LLP

23 By: /s/ Ameri R. Klafeta  
 24 Ameri R. Klafeta  
 25 aklafeta@eimerstahl.com  
 26 One of the Attorneys for Non-Party LG  
 27 Electronics, Inc.  
 28

**CERTIFICATE OF SERVICE**

I hereby certify that on February 8, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the e-mail addresses registered in the CM/ECF system.

/s/ Ameri R. Klafeta  
Ameri R. Klafeta